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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,583	10/23/2000	Mathieu Vandenbossche	1200-370	2518

7590

04/08/2003

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EXAMINER

PEREZ, GUILLERMO

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 04/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/583,583

Applicant(s)

VANDENBOSSCHE, MATHIEU

Examiner

Guillermo Perez

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 27, 2003 has been entered.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the seat being separate from the housing and not in contact with the housing must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the limitations "*the seat is separate from the housing and not in contact with said housing*" are not present in the specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 3-11, and 13 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The application as originally filed does not disclose that *"the seat is separate from the housing and not in contact with said housing"*.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 3-7, 9, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Komurasaki et al. (U. S. Pat. 5,619,108).

Referring to claim 1, Komurasaki et al. disclose a brush holder (12) for a vehicle alternator having a housing (2), the brush holder (12) comprising:

an insulating support (51) having an opening;

heat dissipating means (24,58) having a metallic seat (58) fixed to the support (51); and

an electrical circuit (59) comprising:

- a semiconductor control component,

in which the seat (58) on the one hand receives for fixing on one of its faces the control component (59) by means of an opening in the support (51) and on the other hand belongs to the heat dissipation means (24,58) in contact with an ambient environment and arranged so as to receive heat from the control component (59); wherein

the seat (58) is separate from the housing (2) and not in contact with the housing (2),

the seat (58) is mounted within a thickness of the support (51) and the seat (58) receives on the other of its faces a heat dissipator (24) so that the heat dissipation means (24,28) is composed of two distinct and adjacent parts (Figure 1).

Referring to claim 3, Komurasaki et al. disclose that the dissipator (24) has a coefficient of expansion greater than that of the seat (58).

Referring to claim 4, Komurasaki et al. disclose that the support (51) is moulded onto the seat (58).

Referring to claim 5, Komurasaki et al. disclose that the support (51) is moulded onto the dissipator (24).

Referring to claim 6, Komurasaki et al. disclose that the dissipator (24) is attached to the support (51).

Referring to claim 7, Komurasaki et al. disclose that the dissipator (24) is fixed to the support (51) by screws (56).

Referring to claim 9, Komurasaki et al. disclose that the seat (58) and the dissipator (24) are in direct contact.

Referring to claim 11, Komurasaki et al. disclose that the dissipator (24) is metallic.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komurasaki et al. in view of Jaeschke (U. S. Pat. 4,469,968).

Komurasaki et al. substantially teaches the claimed invention except that it does not show that at least one from amongst the seat and dissipator has projecting reliefs able to enter the material of the other one from amongst a base and dissipator when they are placed in the operating position of the brush holder.

Jaeschke discloses that at least one from amongst the seat (25) and dissipator (71) has projecting reliefs (77) able to enter the material of the other one from amongst a base and dissipator (71) when they are placed in the operating position of the brush holder. Jaeschke's invention has the purpose of providing an efficient heat conductive path for the heat from one area to another of the embodiment.

It would have been obvious at the time the invention was made to modify the brush holder of Komurasaki et al. and provide it with the projecting reliefs disclosed by

Jaeschke for the purpose of providing an efficient heat conductive path for the heat from one area to another of the embodiment.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komurasaki et al. in view of Kato (U. S. Pat. 5,536,972).

Komurasaki et al. disclose a brush holder as described on item 1 above. However, Komurasaki et al. do not disclose that it comprises a heat-conducting layer interposed between the seat and the dissipator.

Kato discloses that it comprises a heat-conducting layer (30d) interposed between the seat (30) and the dissipator (10). Kato's invention has the purpose of ensuring good heat conductivity between the aluminum plate and the heat radiating container.

It would have been obvious at the time the invention was made to modify the brush holder of Komurasaki et al. and provide it with the heat-conducting layer disclosed by Kato for the purpose of ensuring good heat conductivity between the aluminum plate and the heat radiating container.

4. Claims 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komurasaki et al. in view of Nakata et al. (U. S. Pat. 4,990,811).

Komurasaki et al. disclose a brush holder as described on item 1 above. However, Komurasaki et al. do not disclose that a thermally insulating element is interposed between the or each screw and the dissipator.

Nakata et al. disclose that a thermally insulating element (36) is interposed between each screw (34) and the dissipator (18). The invention of Nakata et al. has the purpose of securing an insulator plate to a bracket through fixing legs.

It would have been obvious at the time the invention was made to modify the brush holder of Komurasaki et al. and provide it with the thermally insulating element disclosed by Nakata et al. for the purpose of securing an insulator plate to a bracket through fixing legs.

Response to Arguments

Applicant's arguments with respect to claims 1, 3-11, and 13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guillermo Perez whose telephone number is (703) 306-5443. The examiner can normally be reached on Monday through Thursday and alternate Fridays.

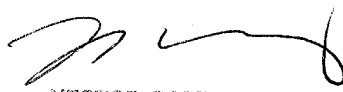
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308 1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305 3432 for regular communications and (703) 305 3432 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956.

Guillermo Perez
Friday, April 04, 2003



NESTOR RAMIREZ
SUPERVISORY PATENT EXAMINER
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